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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
Eastern DIVISION

FILED

JUL - 9 2018

U.S. DISTRICT COURT
EASTERN DISTRICT OF MO
ST. LOUIS

#1327955

Brent J. Johns

Jury Trial Demanded

(Write the full name of the plaintiff in this action.
Include prisoner registration number.)

Case No: _____
(to be assigned by Clerk of District Court)

Plaintiff Requests Trial by Jury

☒ Yes ☐ No

1. The City of Florissant

2. Tim Lowry Chief of Police

3. Lt Dennis Dehart

4. Sgt. Anthony Mucca

5. P.O. Josh Smith

6. P.O. Steven Beederman

7. P.O. Brian Panus

8. P.O. Phil Busby

9. Stephen Williams

(Write the full name of each defendant. The caption must include the names of all of the parties.

Fed. R. Civ. P. 10(a). Merely listing one party and writing "et al." is insufficient. Attach additional sheets if necessary.)

10. The FBI

11. St. Louis County

12. Florissant Mayor

13. Florissant City Counsel

4:18CV1121 AGF

PRISONER CIVIL RIGHTS COMPLAINT UNDER 42 U.S.C. § 1983**NOTICE:**

Federal Rule of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should not contain: an individual's full social security number or full birth date, the full name of a person known to be a minor, or a complete financial account number. A filing may include only: the last four digits of a social security number, the year of an individual's birth, a minor's initials, and the last four digits of a financial account number.

Except as noted in this form, plaintiff should not send exhibits, affidavits, witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the \$400.00 filing fee or an application to proceed without prepayment of fees and costs.

I. The Parties to this Complaint

A. The Plaintiff

Name: Brent Johns / #1327955

Other names you have used: —

Prisoner Registration Number: 1327955

Current Institution: ERDCC, HU 9B 107, 2727 Hwy K, Bonne Terre Mo

Indicate your prisoner status:

63628

- | | |
|---|---|
| <input checked="" type="checkbox"/> Pretrial detainee | <input type="checkbox"/> Convicted and sentenced state prisoner |
| <input type="checkbox"/> Civilly committed detainee | <input type="checkbox"/> Convicted and sentenced federal prisoner |
| <input type="checkbox"/> Immigration detainee | <input type="checkbox"/> Other (explain): _____ |

B. The Defendant(s)

To the best of your knowledge, give the information below for each defendant named in the caption of this complaint. Make sure the defendant(s) named below are the same as those listed in the caption of this complaint. Attach additional pages if necessary.

For an individual defendant, include the person's job title, and check whether you are suing the individual in his or her individual capacity, official capacity, or both.

Defendant 1

Name: The City of Florissant, Mo. / St. Louis County / The FBI.

Job or Title: Joshua Smith Drug Task Force member Joshua Smith (agent) and Supervisors

Badge/Shield Number: _____

Employer: Florissant mo St. Louis co Sheriff's office The FBI

Address: 1700 N Hwy 67 Florissant mo 2222 Market St. / unknown

St. Louis mo 63102

☒ Individual Capacity ☒ Official Capacity

Florissant Mayor
 Tom Schneider
 Unknown name at
 This time
 Stephen Williams / Phil Brsby
 Police officer
 Police officer
 Steven Beckman
 P.O. 590
 Brian Pannus
 P.O. 672
 603
 Joshua Smith
 City of Florissant
 Police Officer
 St. Louis Co. Drug Task
 Force member
 F.B.I. agent.

Defendant 2
 Name: Jim Lowery / Lt. Dennis Dehart / Anthony Moea
 Job or Title: Chief of Police / Lieutenant / Sergeant
 Badge/Shield Number: _____
 Employer: The City of Florissant Mo
 Address: 1700 US Hwy 67 Florissant Mo.

☒ Individual Capacity
 ☒ Official Capacity

II. Statement of Claim

Type, or neatly print, a short and plain statement of the FACTS that support your claim(s). For every defendant you have named in this complaint, you must state what he or she personally did to harm you. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Do not make legal arguments, or cite court cases or statutes. You may attach additional pages if necessary.

Your statement of claim must include all of the following information:

1. What happened to you?
2. When did it happen?
3. Where did it happen?
4. What injuries did you suffer?
5. What did each defendant personally do, or fail to do, to harm you?

The FBI + St. Louis County Police Officers
 Florissant City Counsel

Defendant 2 Steven Beekman, Josh Smith, Brian Panus
 Tom Schneider, ← Mayor of Florissant
 Stephen Williams Police Officer

Name: Tim Lowry, Dennis Dehart, Anthony Mocco, Phil Busby

Job or Title: Chief of Police, Lieutenant, Sgt, Police Officer

Badge/Shield Number: _____

Employer: The City of Florissant, Missouri

Address: _____

☒ Individual Capacity ☒ Official Capacity

II. Statement of Claim

Type, or neatly print, a short and plain statement of the FACTS that support your claim(s). For every defendant you have named in this complaint, you must state what he or she personally did to harm you. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Do not make legal arguments, or cite court cases or statutes. You may attach additional pages if necessary.

Your statement of claim must include all of the following information:

all defendants were acting under color of law at all relevant times

1. What happened to you?
2. When did it happen?
3. Where did it happen?
4. What injuries did you suffer?
5. What did each defendant personally do, or fail to do, to harm you?

also with the FBI + St. Louis County Drug Task Force

1. Florissant Police Officers Steven Beekman, Joshua Smith, and Brian Panus, used excessive + deadly force on me by kicking me, punch me, kneeling me, as well as striking me with batons multiple times while I was lying face down, unarmed, and unable to defend myself on the ground. This happened on March 1, 2017 in the City of Florissant. These officers also were deliberately indifferent to my safety or life as they beat me till I was unconscious or longer. Striking me multiple times to the spine, back, neck + back of head with fists Boots and batons. after I was handcuffed and during a time while I never resisted their arrest. I now suffer from Concussion Syndrome, PTSD, loss of life, loss of money

on March 1, 2017 in the City of Florissant, Mo
 Florissant Police Officer, St. Louis County drug task
 force member and FBI agent Joshua Smith,
 along with Florissant Police Officers Steven
 Beekman, Brian Pannos, Sgt. Anthony Mucca attacked
 me and caused me serious physical injury and
 intentional mental and emotional stress
 by tasing me, ramming ~~me~~ ^{my vehicle} with their car
 then beating me while I was handcuffed and
 laying face down on the ground knocking
 me unconscious. these (4) named officers
 kicked me in the face breaking my teeth, also
 stomping on the back of my neck, and heel
 with their boots, punching me and striking
 me "several times" with their collapsible metal
 batons called "Asps" these officers named
 were deliberately indifferent and grossly
 negligent to my safety as each used
 excessive & deadly force, each officer also
 failed to intervene to protect me from
 being hurt and seriously injured. officer +
 Sgt. Anthony Mucca failed to train and
 supervise his officers (Smith, Pannos, Beekman)
 as they continued to strike me as I
 remained face down on the ground. In
 doing so I believe these Florissant
 Police Officers along with St. Louis Co.
 drug task force member + FBI agent Joshua Smith

Violated my 4th, 5th, 6th, 8th, 14th
Amendment Rights I also believe
these officers are ^{all} guilty of Common
law assault with a deadly weapon

I now suffer from Chronic Migraines, Vision
Loss, PTSD, Constant Vertigo, Flash Backs, Blackouts,
~~and~~ post-Concussion Syndrome, Chronic Pain,
Mental + Emotional anguish + loss of life
Malicious prosecution Cruel + unusual

Punishment, due process, equal Protection
I am seeking damages in the amount
of \$100,000.00 from each officer
named individually

For nominal damages \$400,000

Collectively. for loss of car, job, loss of life
loss of family

I am also seeking Compensatory damages
for the intentional mental + emotional
anguish false imprisonment in the
amount of \$250,000 from each officer named
\$1,000,000.00 Collectively.

and \$1,000,000.00 Collectively for
punitive damages for all officers named

and any other relief the Courts sees
fit.

as well as \$250,000 for Plaintiff's attorneys
fees

also on March 1, 2017 Prior to being beaten I was in my vehicle with my hands out the window stopped when Joshua Smith (who is employed as a police officer with the City of Florissant, St. Louis County Drug task force + FBI) rammed my vehicle with his patrol car while I was stopped with my hands up surrendering to officers. at this time while my hands were out the window Florissant Police Officer Steven Beekman tased me without warning causing me to lose control of my vehicle striking my head several times on the door of my vehicle. causing severe chest pain, loss of vision. at this time officer Smith, Officer Beekman, and officer Panus entered into a Conspiracy to charge me with property damage, Assault 2nd LEO, these (3) officers that were present also gave false information to in the form of Diagrams, false police Reports to officers that were not present (Phil Busby) who in turn Presented this false information to the City of Florissant's insurance Company who in turn Because of this false information found me at fault. Because of this false information I was also charged with Assault 2nd degree, Property damage 1st degree

and leaving the scene of an accident. these (3) officers (Beekman, Parns, Smith) also committed Perjury during their depositions to further show their Conspiracy and that they had a meeting of the minds to carry out a Criminal act against me. by charging me with Assault 2nd on LSD. (a class B felony) Property damage (a class D felony) then relayed or reported this false information to another officer who wasn't present (Phil Busby).

Beekman, Smith, Parns furthered their Conspiracy by falsely marking diagrams ~~of the~~ also during depositions of how their story was conspired knowing them to be false. these officers were deliberately indifferent and maliciously wanton ~~by~~ of my equal protection rights, due process cruel and unusual punishment, and by inflicting intentional physical pain + injury as well as the intentional infliction of mental anguish and emotional stress and strain.

I am seeking Compensatory damages in the amount of \$250,000 from each officer Beekman, Parns, and Smith for intentional mental anguish \$750,000 collectively as well as

* Punitive *

\$1,000,000 For all Civil Rights Violations
From the City of Florissant

\$1,000,000 For all Civil Rights Violations
From the County of St. Louis
and \$1,000,000 From the F.B.I
For all Civil Rights Violations
and For ~~E~~ Failing to train
officer Joshua Smith

Plaintiff
attorneys fees in the amount
of \$250,000

Nominal / Actual damages
in the amount of

\$1,000,000 Collectively
From officer Smith, Beckman, Lewis
and Busby For loss of Car
Job, Money, loss of life, loss of family
loss of home, Criminal Record, false
imprisonment.

on March 1, 2017 Florissant Police officers Smith, Beekman + Parnus all knowingly violated Florissant department Policy by ignoring a direct order given from or by Sgt. Anthony Moca to "Stop Following the Vehicle and disengage" also causing me serious physical pain these officers were deliberately indifferent to my safety and well being directly after this order was given officer Smith rammed my vehicle and then officer Beekman forced me while my hands were up and out the window of my vehicle. Then officer Smith lied about where he was located when his car rammed me.

~~all three officers~~ all three officers gave the same false depositions about what happened.

I am seeking damages in the amount \$100,000 for actual damages from each defendant

(Florissant Mayor + City Council ^{members})

I am seeking damages in the amount of \$1,000,000 From the City of Florissant and its Policy Making officials (Mayor + Council) For Failure to act, intervene, and failure to change hiring practices, failure to change policies, ordinances or statutes knowing the violent, negligent and deliberate indifferent propensities of the Police officers and the prior Complaints From the Public that resulted in Serious physical Pain and intentional infliction of Mental and emotional anguish to me and false imprisonment, Malicious Prosecution, due process, Cruel + Unusual Punishment and any other relief the Courts deems proper.

Egal Protection

\$250,000 for attorneys fees For Plaintiff

Florissant Police Officers
Stephen Williams
Steven Beelman
Brian Panus

all denied me medical
care on March 1, 2017

Before and at Christian Northwest
Hospital by threatening my life
further telling me they would beat
me more in the corner at the Police station
where the Video cameras don't Record. ~~also~~
also telling me if I was black I'd be dead
and I wouldn't live to see tomorrow if
I let a doctor treat me + "I will deny treatment"
these officers were Malicious + Wanton
and deliberately indifferent to my medical
needs and obvious pain and suffering
They even took Pics of the injuries they inflicted
I am seeking damages in the amount of
\$500,000 From each officer for pain
and suffering + \$500,000 Collectively
for denial of Medical Care from the
City of Florissant

\$250,000 For attorneys fees for plaintiff
and any other relief the Court sees fit.

~~These same officers also~~ Officer Joshua Smith with the Florissant police department along with Steven Beckman and Brian Pannus (also Florissant Police Officers) turned in false police diagrams (knowing they were false) to officer Phil Busby who in turn submitted these diagrams as part of an insurance claim to (Travelers Insurance) which is the City of Florissant's insurance company, to collect monies and/or services due to the reports made and falsely given by Beckman, Pannus, Smith, these 3 officers also committed perjury in their depositions after they were all 3 sworn in by a Certified Court Reporter by Oath or affirmation. Officer Joshua Smith also used excessive + deadly force by ramming my vehicle while I was stopped with my hands out the window surrendering. then officer Steven Beckman tossed me while my hands were still held high out the window of my vehicle in clear view not resisting; officer Williams along with Steven Beckman + Brian Pannus threatened my life and were also

III. Injuries

deliberately indifferent to my life and physical + mental injuries when they forced me to deny medical care for my injuries they inflicted on March 1 2017. If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

when they told me they were gonna plant a gun on me, Beat me further, if I let a doctor treat me that night

Defamation of Character

I now suffer from PTSD, Chronic Migraines, Constant Vertigo, Black outs, vision loss, Horrible Night terrors of the onset loss of life, well Being, loss of family, intentional physical pain, Emotional + Mental anguish, permanent mental health problem and constant physical pain (Malicious Prosecution) → Holding my Bond at \$100,000 cash

Chief of Police Tim Lowery along with Lt. Dennis Dehart and Sgt. Anthony Moccia failed to Train, Supervise, and intervene and knowing their employees Violent propensities and being deliberately indifferent to the public well being (me) when I was beaten and the officer Smith rammed my vehicle, tased me

The City of Florissant City Counsel & Mayor (law making official) (unknown names at this time)

for their deliberate indifference to ~~Public~~^{my} Safety and gross negligence as they failed to Change policies or ordinances that allowed these officers to be go on without Video dash Cams or body Cams to hold them liable for their actions which Resulted in physical and mental pain toward me due to the Conspiracy, Paying excessive, deadly force, insurance fraud, and false police reports

officers Beekman, Pannus, Smith, Sgt. Moccia for being grossly negligent and deliberately indifferent to my Safety or pain being inflicted on me when they failed to intervene and stop serious physical pain from being inflicted by way of deadly + excessive force by their fellow officers Beekman, Pannus, Smith and Sgt. Moccia

officer Williams, Beekman, Pannus for the denial of medical care and their deliberate indifference to my medical needs from the serious physical injuries I sustained from their excessive force, deadly force by forcing me to deny medical treatment by threats to further inflict pain on me afterwards at the police station (Corner with no cameras)

officer Phil Busby for taking false police Reports knowing they were false to the City of Florissant's Insurance Company (Travelers Insurance) to fraudulently collect services and monies in the City of Florissant's name

Denial of ~~multiple~~ ^{multiple} case
\$500,000

The FBI For Failure to Train and excessive force
\$250,000
St. Louis County \$250,000 for Failure to Train

IV. Relief

and any other relief the Court sees fit

State briefly and precisely what you want the Court to do for you. Do not make legal arguments.

Do not cite any cases or statutes. If you are requesting money damages, include the amounts of

any actual damages and/or punitive damages you are claiming. Explain why you believe you are entitled to recover those damages.

\$25,000 for all defendants each For Failure to Train, Supervise + Integrit
\$1,000,000 for emotional + mental anguish collectively from all defendants

\$100,000 For physical Pain from each defendant named

\$500,000 malicious prosecution
loss of Monies, Job, well being, Car, loss of life

and intentional infliction of Stress and physical pain, injury.
\$250,000 From each defendant For Perjury, insurance fraud Conspiracy

V. Exhaustion of Administrative Remedies/Administrative Procedures

\$25,000 from each City official who failed to manage, Supervise, train, hire, even knowing
\$1,000,000 Punitive Damages

The Prison Litigation Reform Act ("PLRA") 42 U.S.C. § 1997e(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted."

Administrative remedies are also known as grievance procedures. Your case may be dismissed if you have not exhausted your administrative remedies.

A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

☐ Yes ☒ No

If yes, name the jail, prison or other correctional facility where you were confined at the time of the events giving rise to your claim(s):

B. Does the jail, prison or other correctional facility where your claim(s) arose have a grievance procedure?

☐ Yes ☐ No ☒ Do not know

C. If yes, does the grievance procedure at the jail, prison or other correctional facility where your claim(s) arose cover some or all of your claims?

☐ Yes ☐ No ☒ Do not know

Letter of apology from the city

I also want to press Charges For Assault 1st
perjury, Conspiracy + Insurance fraud + False police
Reports
on all officers involved on a Criminal
level

If yes, which claim(s)?

D. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose concerning the facts relating to this complaint?

☐ Yes

☒ No

If no, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

☒ Yes

☐ No

E. If you did file a grievance:

1. Where did you file the grievance?

St. Louis County Dept of Justice Services

*in the form of a letter
to
~~with~~ the United States
attorneys office*

2. What did you claim in your grievance? (Attach a copy of your grievance, if available) *physical Pain, loss of Vision, Denial of medical care
Constant Vertigo, PTSD, Chronic Migraines, flashbacks, Depression
chronic Pain in Back, Skull, neck, ribs all due to
Florissant Police Dept.*

3. What was the result, if any? (Attach a copy of any written response to your grievance, if available) *given Medication, Diagnosed with PTSD
~~Counseling~~ Counseling etc.*

4. What steps, if any, did you take to appeal that decision? Is the grievance process completed? If not, explain why not. *(Describe all efforts to appeal to the highest level of the grievance process.)*

not sure

I also Complained to a ~~Corp~~ Correction Officer
R. Myles with St Louis Co Dept of Justice Services
+ Dr. Leeker with Mental Health at Justice Service

F. If you did not file a grievance:

1. If there are any reasons why you did not file a grievance, state them here:

2. If you did not file a grievance but you did inform officials of your claim, state who you informed, when and how, and their response, if any:

G. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies.

(Note: You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.)

VI. Previous Lawsuits

The "three strikes rule" bars a prisoner from bringing a civil action or an appeal in federal court without paying the filing fee if that prisoner has "on three or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury." 28 U.S.C. § 1915(g).

- A. To the best of your knowledge, have you ever had a case dismissed on the basis of this "three strikes rule"?

☐ Yes

☒ No

If yes, state which court dismissed your case and when it was dismissed. Attach a copy of the court's order, if possible.

Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action?

☒ Yes

☐ No

- B. If your answer to A is yes, describe each lawsuit by answering questions 1 through 7 below. *(If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)*

1. Parties to the previous lawsuit

Plaintiff Florissant Police Dept. et al

Defendant(s) _____

2. Court (if federal court, name the district; if state court, name the state and county)

3. Docket or case number 4:17-CV-1514-AGF

4. Name of Judge assigned to your case Audrey Fleissig

6. Is the case still pending?

☐ Yes

☒ No (If no, give the approximate date of disposition): _____

7. What was the result of the case? (For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)

*They were all Consolidated
and I Filed motion to dismiss
So I could ammend*

VII. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 30 day of June, 20 18.

Signature of Plaintiff

Brent Johnson

5. Approximate date of filing lawsuit May 13 2017
6. Is the case still pending?
- ☐ Yes
- ☒ No (If no, give the approximate date of disposition): _____
7. What was the result of the case? (For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)
- I filed dismissal without prejudice to wait and file now
- C. Have you filed other lawsuits in state or federal court otherwise relating to the conditions of your imprisonment?
- ☒ Yes ☐ No
- D. If your answer to C is yes, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)
1. Parties to the previous lawsuit
- Plaintiff Same
- Defendant(s) _____
2. Court (if federal court, name the district; if state court, name the state and county)
- They were all Consolidated
3. Docket or case number _____
4. Name of Judge assigned to your case _____
5. Approximate date of filing lawsuit _____